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3	Telephone: (415) 626-3939 Facsimile: (415) 875-5700		
4	Attorneys for Defendant		
5	INTERNATIONAL BUSINESS MACHINES CORPORATION		
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7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10			
11	THOMAS ROSENBURG, JOHN SHELLY and EXALDO TOPACIO, on	Case No. 06-0430 JCS	
12	behalf of themselves and classes of those similarly situated,	STIPULATION EXTENDING DEFENDANT'S TIME TO RESPOND TO	
13	Plaintiff,	COMPLAINT	
14	V.		
15	INTERNATIONAL BUSINESS		
16	MACHINES CORPORATION,		
17	Defendant.		
18		ı	
19	Pursuant to Local Rule 6-1(a), Plaintiffs Thomas Rosenburg, et al. and Defendant		
20	International Business Machines Corporation ("Defendant"), by and through their undersigned		
21	counsel, hereby stipulate to an extension of time for Defendant to file its response to Plaintiffs'		
22	complaint filed on January 24, 2005 (the "Complaint"). The parties hereby stipulate and agree		
23	that Defendant shall have an extension of 30 days, to and including March 17, 2006, to answer or		
24	otherwise plead to the Complaint. The parties further stipulate that by executing or agreeing to		
25	this stipulation, Defendant does not waive, and otherwise reserves, its right to assert any available		
26	defense to the Complaint including but not limited to issues of subject matter jurisdiction,		
27	personal jurisdiction, or sufficiency of service	e.	

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STIPULATION Case No. 06-0430 JCS

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1	Dated: February 14, 2006	JONES DAY
2		
3		By: /S/ Donna M. Mezias
4 5		Donna M. Mezias Attorneys for Defendant INTERNATIONAL BUSINESS MACHINES CORPORATION
6		COR ORATION
7	Dated: February 15, 2006	LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
8		
9		By: /S/ James M. Finberg
10		James M. Finberg Attorneys for Plaintiffs
11		
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